

STATE OF MICHIGAN
COURT OF APPEALS

In the Matter of DEZMOUND STEELE, a/k/a
DEZMOUND HIGGS Minor.

DEPARTMENT OF HUMAN SERVICES, f/k/a
FAMILY INDEPENDENCE AGENCY

UNPUBLISHED
November 14, 2006

Petitioner-Appellee,

v

ANGELO STEELE,

Respondent-Appellant,

and

LAMONN KNOTT,

Respondent.

No. 270945
Wayne Circuit Court
Family Division
LC No. 04-432427

Before: Fort Hood, P.J., and Murray and Donofrio, JJ.

PER CURIAM.

Respondent Angelo Steele appeals as of right from the trial court order terminating his parental rights to the minor child under MCL 712A.19b(3)(c)(i), (g), (j), and (k)(i). We affirm. This appeal is being decided without oral argument pursuant to MCR 7.214(E)(1)(b).

The trial court did not clearly err in finding the statutory grounds in MCL 712A.19b(3)(c)(i) and (g) were established by clear and convincing evidence. MCR 3.977(J); *In re Trejo*, 462 Mich 341, 353; 612 NW2d 407 (2000). Respondent Steele complied only minimally with one or two aspects of his parent agency agreement (PAA). He needed improvement in many areas, especially substance abuse, education/employment, and visitations. He failed to get a substance abuse assessment or treatment, and all five of his drug screens were positive for marijuana. He failed to obtain job training or his GED. He also attended less than half of the available visitations with Dez mound. To his credit, he interacted appropriately and seemed bonded with the child. He also completed parenting classes, albeit late in the case. But the court did not clearly err in finding his visitation record insufficient and rejecting his excuse that some of the visitations were too far away. The distance was about eight miles and buses did run on the major thoroughfares nearby. As for respondent Steele's failure to take advantage of

referrals for therapy and anger management, this was not a court-ordered intervention. However, respondent Steele's confrontational behavior with agency staff indicated that he could have benefited from therapy and anger management training. Given his overall failure to comply with services, the trial court did not clearly err in concluding that he would be unable to provide proper care or custody for Dezmond within a reasonable time. MCL 712A.19b(3)(g).

Respondent Steele argues that subsections (c)(i) and (g) were not satisfied because Dezmond did not live with him and was removed from the mother's home. We disagree. Respondent Steele was dependent on his parents for housing and most support. He could not independently provide a proper home for Dezmond, and the child could not be placed with respondent's parents as long as respondent lived there and continued to use drugs and not comply with his PAA. Respondent Steele's marijuana use was a major barrier to reunification, and respondent seemed disinclined to even try to address this problem. Clear and convincing evidence did support the trial court's determination as to at least subsections (c)(i) and (g). Only one subsection need be proven by clear and convincing evidence to terminate parental rights. *In re Powers*, 244 Mich App 111, 118; 624 NW2d 472 (2000).

Finally, we find no clear error in the trial court's determination that termination of respondent Steele's parental rights was not clearly contrary to Dezmond's best interests. MCL 712A.19b(5); *Trejo, supra* at 356-357. Dezmond needs a permanent, safe, stable home, which respondent Steele is unable to provide. The trial court did not clearly err in finding sufficient evidence to terminate his parental rights to Dezmond.

Affirmed.

/s/ Karen M. Fort Hood
/s/ Christopher M. Murray
/s/ Pat M. Donofrio